



Docket No. 55968 (71360)

43

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Urabe, et al.
SERIAL NO.: 09/870,716 EXAMINER: N/A
FILED: May 29, 2001 (corrected) GROUP: N/A
FOR: FLAME RETARDANT RESIN COMPOSITION

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

CERTIFICATE OF MAILING

I, Louise Rappaport, hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office, as First Class Mail, postage prepaid, on 9/28/2001 an envelope addressed to: The Assistant Commissioner of Patents, Washington, DC 20231.


Louise Rappaport

SIR:

PETITION TO CORRECT FILING DATE

This is a Petition to correct the filing date of the above-identified patent application from May 30, 2001, as indicated on the Official Filing Receipt, to May 29, 2001. It is respectfully submitted that the date of May 30, 2001 accorded to this correspondence by the USPTO is not correct.

RECEIVED

DEC 03 2001

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

STATEMENT OF FACTS

1. The above-referenced patent application was deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee", Mailing Label EL 730724024 US addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on May 29, 2001.

Attached to this Petition as **Appendix A** is a true copy of the Express Mail mailing label showing the "date-in" of May 30, 2001. 37 CFR 1.10 (c) (3). Submitted herewith are (a) Declaration of Louise Rappaport; (b) Declaration of David G. Conlin; and (c) Declaration of Robert Rosco, showing why the date marked on the Express Mail mailing label is incorrect.

2. The signed Certificate of Express Mail for the application indicates that the date of deposit was May 29, 2001 and not May 30, 2001.

Attached to this Petition as **Appendix B** is a true copy of the Certificate of Express Mail, which was the first page of the patent application papers that were filed, showing both the May 29, 2001 date on which the application was mailed as Express Mail Label No. EL 730724024 US and that the number of the Express Mail was placed thereon prior to mailing pursuant to 37 CFR 1.10 (c) (2).

3. Applicants enclosed a self-addressed stamped postcard with the application. That postcard was returned to Applicants with the incorrect May 30, 2001 mailing date. Attached as **Appendix C** is a true copy of the post card.

4. Applicants received an official PTO filing receipt showing the incorrect May 30, 2001 filing date. Attached to this Petition as **Appendix D** is a copy of that filing receipt showing that erroneous filing date.

USSN 09/870,716

Petition for Correction of Filing Date

PAGE 3

RELIEF REQUESTED

Accordingly, Applicants request that a filing date of May 29, 2001 be accorded to the above-referenced patent application.

Kindly charge our deposit account no. 04-1105 the requisite petition fee of \$130.00. Should any further fee be needed to consider this submission, the USPTO is authorized to charge the deposit account such fee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. G. Conlin', is written over a horizontal line.

David G. Conlin (Reg. 27,026)

EDWARDS & ANGELL, LLP

DIKE, BRONSTEIN, ROBERTS & CUSHMAN

Intellectual Property Practice Group

101 Federal Street

Boston, MA 02110-1800

(617) 439-4444

Date: September 28, 2001

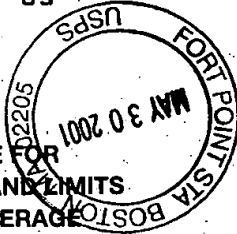


UNITED STATES POSTAL SERVICE®

POST OFFICE TO ADDRESSEE



EL 730724024 US



SEE REVERSE SIDE FOR
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ON INSURANCE COVERAGE

Customer Copy
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)

| | | |
|--|--|--|
| PO ZIP Code 02205 | Day of Delivery First <input checked="" type="checkbox"/> Second <input type="checkbox"/> | Flat Rate Envelope <input type="checkbox"/> |
| Date in 53001 | Time in 8:57 AM | Postage \$16.00 |
| Weight 9 lbs. 0 oz. | Military Int'l Alpha Country Code | Return Receipt Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials DC | COD Fee Insurance Fee |
| Total Postage & Fees \$16.00 | | |

☐ **WAIVER OF SIGNATURE (Domestic Only):** Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY:** ☐ Weekend ☐ Holiday

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METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE (627) 439-4444

EDWARDS & ANGELL, LLP
CIRE BRONSTEIN ROBERTS
100 STATE ST P.O. Box 9169
BOSTON MA 02209

71360-55968

TO: (PLEASE PRINT)

PHONE ()

ASSISTANT
COMMISSIONER FOR PATENTS
US PATENT & TRADEMARK OFFICE
WASHINGTON DC 20231-0001

NEW UTILITY PATENT APPLICATION

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

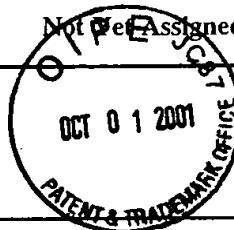


| | |
|--|---------------------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Hiroshi Urabe, et al. | Docket No. 71360-55968 |
|--|---------------------------|

| | | | |
|--------------------------------|-------------------------------|------------------------------|------------------------------------|
| Serial No. Not Yet Assigned | Filing Date Filed Herewith | Examiner Not Yet Assigned | Group Art Unit Not Yet Assigned |
|--------------------------------|-------------------------------|------------------------------|------------------------------------|

Invention:

FLAME RETARDANT RESIN COMPOSITION



I hereby certify that the following correspondence:

NEW UTILITY PATENT APPLICATION

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

May 29, 2001

(Date)

Louise M. Rappaport

(Typed or Printed Name of Person Mailing Correspondence)

Louise M. Rappaport

(Signature of Person Mailing Correspondence)

EL73072402US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.



DGC

Mailing Date: May 29, 2001
Client: 71360
[X] Utility [] Design [] Provisional
Attorney/Sec.: DGC/lmr
Docket No.: 55968

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of
APPLICANT(S): Hiroshi Urabe, et al.

TITLE: FLAME RETARDANT RESIN COMPOSITION

No. of Pages: Spec. 36 Claims 4 (13 Claims) Abstract 1
Drawings _____ sheets [] formal [] informal
Transmittal Papers 4 pages [] Preliminary Amendment
[] Declaration [] executed [] unexecuted [] Copy [] Will Follow
[] Small Entity Form [] Copy [] Will Follow [] Certified Copy [] Will Follow
[] Assignment [] Copy [] Will Follow [] Cover Sheet
[] Information Disclosure Statement [] PTO-1449 Form [] Refs.
Other Cert. Copy JPAppln. 2000-157913-Filed 5/29/2000 (TO FOLLOW
\$ 710.00 fee Check [X] is [] is not enclosed
Due Date: 5/29/2001 Express Mail Label No. EL 730724024US



I. D. S.

Edwards & Angell LLP
Dike, Bronstein, Roberts & Cushman
130 Water St. Boston, MA 02108
Date Rec'd. 6/12/01
Docketed For Aug 29, 2001
By KRD
Approved mm 6/18/01



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/870,716 | 05/30/2001 | 1711 | 710 | 71369-55968 | | 13 | 1 |

CONFIRMATION NO. 8909

FILING RECEIPT



OC00000006371133

Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
Edwards & Angell
P.O. Box 9169
Boston, MA 02209



Date Mailed: 08/01/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Hiroshi Urabe, Residence Not Provided;
Hajime Ohyama, Residence Not Provided;
Masami Suzuki, Residence Not Provided;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/01/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Flame retardant resin composition

Preliminary Class

I. D. S.
Edwards & Angell LLP
Dike, Bronstein, Roberts & Cushman
101 Federal St. Boston, MA 02110
Date Rec'd 8/6/01
Docketed For Aug. 29, 2001
By K.R.D.
Approved [Signature] 8/7/01

528

Data entry by : KANNO, MESERET

Team : OIPE

Date: 08/01/2001



LICENSE FOR FOREIGN FILING UNDER
Titl 35, United States Code, Section 184
Titl 37, Cod of Fed ral R gulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
 Office of Initial Patent Examination
 Customer Service Center
 Washington, DC 20231



Docket No. 55968 (71360)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Urabe, et al.
SERIAL NO.: 09/870,716 EXAMINER: N/A
FILED: May 29, 2001 (corrected) GROUP: N/A
FOR: FLAME RETARDANT RESIN COMPOSITION

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

SIR:

DECLARATION OF LOUISE RAPPAPORT

Louise Rappaport declares as follows:

1. I am a patent secretary, working for David G. Conlin at the law firm of Edwards & Angell, LLP. I have worked as a patent secretary for that firm, and its predecessor firm, Dike, Bronstein Roberts & Cushman, for over thirty years.
2. On May 23, 2001, we received via facsimile an order letter and data sheet for a patent application from our client Okada & Associates. The instruction letter instructed us that the application was to be filed by May 29, 2001. We acknowledged receipt of the facsimile by stamping the front page with a stamp "received", with the date of receipt entered in the box below that word, and sent a copy of that page back to our client, via facsimile. A copy of the cover letter and data sheet as received on that date are attached hereto as Exhibit A. The last page of Exhibit A is a copy of a "Transaction Report" from our facsimile machine, showing that the front page of the Okada facsimile, bearing our "received" acknowledgment stamp, was faxed back to Okada & Associates at 10:55 am on May 23, 2001.
3. At that time, we were in the process of moving our office from 130 Water Street, Boston MA to 101 Federal Street, Boston, MA. On May 29, 2001, we received a further letter from our client, noting that they had received our acknowledgment of

receipt of their order letter and data sheet, but they had been informed by the courier (DHL) who was to deliver the application papers to us that the address of our office had been changed. The letter was accompanied by a full copy of the application to be filed. A copy of that letter is attached hereto as Exhibit B.

4. On receipt of the facsimile copy of the application to be filed, I prepared the application filing transmittal form, a certificate of mailing by Express Mail, an Express Mail mailing label (No. EL 730724024 US), and a postcard filing receipt, and I obtained a check for the \$710.00 filing fee. I then submitted those papers to Mr. Conlin. Mr. Conlin executed the Transmittal, signed the check, and returned the papers to me for filing. I executed the Certificate of Filing by "Express Mail on May 29, 2001," and delivered the package to a courier, Robert Rosco, of Pitney Bowes Corporation, for hand carrying to the US Post Office. Attached hereto as Exhibit C are copies of the executed Transmittal, the postcard filing receipt, the executed check, and the certificate of filing by Express Mail, bearing my signature. All of these documents were prepared and executed on May 29, 2001.

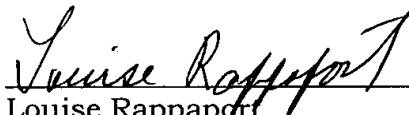
5. After this was done, we sent our client a letter responding to his letter, and confirming that the application was "safely filed today, May 29, 2001." A copy of that letter, together with its Facsimile Transmittal Cover Sheet, and a Transaction Report from our facsimile machine confirming that it was sent to the client at 6:34 p.m. on May 29, 2001, are attached hereto as Exhibit D.

6. Attached hereto as Exhibit E is a copy of the Express Mail mailing receipt for package EL 730724024 US. Although that receipt was dated May 30, 2001 by the postal employee who received it, that date is incorrect, and should have been May 29, 2001. Not only was all of the documentation done and delivered on May 29, 2001 as indicated above, but I am also aware that Mr. Rosco did not deliver any package to the US Post Office on May 30, 2001. I became aware of this because I had another application for a different client with a due date of May 30, 2001, and that filing date was unfortunately missed, because Mr. Rosco neglected to make any delivery to the US Post Office on May 30, 2001.

6. Accordingly, the filing date of May 30, 2001 given to the above-identified application is incorrect, and should have been May 29, 2001.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 28, 2001


Louise Rappaport

OKADA & ASSOCIATES

PATENT AND TRADEMARK ATTORNEYS

HALIFAX KUDAN BLDG. 4F
2-4-4, KUDAN-MINAMI, CHIYODA-KU,
TOKYO 102-0074 JAPAN

TELEPHONE (03)5275-3533
FACSIMILE (03)5210-7189
TELEX J 36350 OKDTKY

May 23, 2001

Dike, Bronstein, Roberts & Cushman
Atten: David G. Conlin, Esq.
130 Water Street
Boston,
Massachusetts 02109-4280
U.S.A.

received
*pm 5/23/01***COPY**

Re: New U.S. Patent Application
Our Ref: L028 US

Dear Mr. Conlin,

Please file a new U.S. Patent Application claiming convention priorities, in line with DATA SHEET enclosed herewith before May 29, 2001 without fail and thereafter inform us the filing date thereof by fax not later than May 29, 2001 (our local time).

1. Enclosed please find DATA SHEET and Specification with Claims.
2. Executed Declaration and Assignment, and Priority Documents will be mailed at later date.

Very truly yours,
K. OKADA & ASSOCIATES

Satoshi ISHIKAWA

DHL
c.c. Facsimile (letter only)

P.S. Please acknowledge receipt of the enclosures.

K. OKADA & ASSOCIATES
PATENT AND TRADEMARK ATTORNEYS

Date: May 23, 2001

No.: 2

Dike, Bronstein, Roberts & Cushman

REMARKS

1. In absence of our special instructions, please keep all applications in force.

-1-

Our Ref: L028 US

DATA SHEET1. TITLE OF INVENTION:

FLAME RETARDANT RESIN COMPOSITION

2. INVENTORS:

| (Name) | (Address) |
|---------------|---|
| Hiroshi URABE | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |
| Hajime OHYAMA | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |
| Masami SUZUKI | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |

(The inventors are citizens of Japan)

-2-

3. APPLICANT (ASSIGNEE):

Name: MITSUBISHI ENGINEERING-PLASTICS CORPORATION
(a joint-stock company duly organized
and existing under the laws of Japan)

Address: 1-1-1, Kyobashi, Chuo-ku, Tokyo, Japan

4. CONVENTION PRIORITIES TO BE CLAIMED:

- (1) Japanese Patent Application
No. 2000-157913 filed May 29, 2000
- (2) Japanese Patent Application
No. 2000-198011 filed June 30, 2000

TRANSACTION REPORT

P. 01

MAY-23-2001 WED 10:55 AM

| DATE | START | RECEIVER | TX TIME(L) | PAGES | TYPE | NOTE | M# | DP |
|--------|----------|----------------|------------|-------|------|------|-----|----|
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TOTAL : 18S PAGES: 1

01- 5-23;14:44 ;K. OKADA & ASSOCIATES

DIKE

10352107189

1/ 4

OKADA & ASSOCIATES

PATENT AND TRADEMARK ATTORNEYS

HALIFAX KUDAN BLDG. 4F
2-4-4, KUDAN-MINAMI, CHIYODA-KU,
TOKYO 102-0074 JAPAN

TELEPHONE (03)5275-3533
FACSIMILE (03)5210-7189
TELEX J 36350 OKD7KY

May 23, 2001

Dike, Bronstein, Roberts & Cushman
Atten: David G. Conlin, Esq.
130 Water Street
Boston,
Massachusetts 02109-4280
U.S.A.



COPY

Re: New U.S. Patent Application
Our Ref: L028 US

Dear Mr. Conlin,

Please file a new U.S. Patent Application claiming convention priorities, in line with DATA SHEET enclosed herewith before May 29, 2001 without fail and thereafter inform us the filing date thereof by fax not later than May 29, 2001 (our local time).

1. Enclosed please find DATA SHEET and Specification with Claims.

DOC
(?)

K. OKADA & ASSOCIATES

PATENT AND TRADEMARK ATTORNEYS

HALIFAX KUDAN BLDG. 4F
2-4-4, KUDAN-MINAMI, CHIYODA-KU,
TOKYO 102-0074 JAPAN

TELEPHONE (03)5275-3533
FACSIMILE (03)5210-7189
TELEX J 36350 OKDTKY

29
May 28, 2001

Dike, Bronstein, Roberts & Cushman
Atten: David G. Conlin, Esq.
130 Water Street
Boston,
Massachusetts 02109-4280
U.S.A.

Resend

Re: New U.S. Patent Application
Our Ref: L028 US

Dear Mr. Conlin,

On the captioned application, we received your acknowledgement for receiving our order letter and data sheet by FAX. However, we heard from DHL stuff that the address of your office has been changed. Please inform us by return facsimile whether the documents sent by DHL on May 23, 2001 has been received or not?

So, we are very surprised and to make sure, we send the necessary documents for filing the captioned application by this FAX because the due date of the filing thereof is May 29, 2001.

If the address of your firm has been changed, please inform us the new address by return facsimile.

Very truly yours,
K. OKADA & ASSOCIATES


Satoshi ISHIKAWA

Facsimile
c.c. Email

P.S. Please acknowledge receipt of the enclosures.



OKADA & ASSOCIATES

PATENT AND TRADEMARK ATTORNEYS

HALIFAX KUDAN BLDG. 4F
2-4-4, KUDAN-MINAMI, CHIYODA-KU,
TOKYO 102-0074 JAPAN

TELEPHONE (03)5275-3533
FACSIMILE (03)5210-7189
TELEX J 36350 OKDTKY

May 23, 2001

Dike, Bronstein, Roberts & Cushman
Atten: David G. Conlin, Esq.
130 Water Street
Boston,
Massachusetts 02109-4280
U.S.A.

Re: New U.S. Patent Application
Our Ref: L028 US

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1. Enclosed please find DATA SHEET and Specification with Claims.
2. Executed Declaration and Assignment, and Priority Documents will be mailed at later date.

Very truly yours,
K. OKADA & ASSOCIATES

Satoshi ISHIKAWA

DHL
c.c. Facsimile (letter only)

P.S. Please acknowledge receipt of the enclosures.

K. OKADA & ASSOCIATES*PATENT AND TRADEMARK ATTORNEYS*

Date: May 23, 2001

No.: 2

Dike, Bronstein, Roberts & Cushman

REMARKS

1. In absence of our special instructions, please keep all applications in force.

-1-

Our Ref: L028 US

DATA SHEET1. TITLE OF INVENTION:

FLAME RETARDANT RESIN COMPOSITION

2. INVENTORS:

| (Name) | (Address) |
|---------------|---|
| Hiroshi URABE | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |
| Hajime OHYAMA | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |
| Masami SUZUKI | c/o Mitsubishi Engineering-Plastics Corporation, Technical Center, 6-2, Higashi-Yahata 5-chome, Hiratsuka-shi, Kanagawa-ken, Japan |

(The inventors are citizens of Japan)

-2-

3. APPLICANT (ASSIGNEE):

Name: MITSUBISHI ENGINEERING-PLASTICS CORPORATION
(a joint-stock company duly organized
and existing under the laws of Japan)

Address: 1-1-1, Kyobashi, Chuo-ku, Tokyo, Japan

4. CONVENTION PRIORITIES TO BE CLAIMED:

- (1) Japanese Patent Application
No. 2000-157913 filed May 29, 2000
- (2) Japanese Patent Application
No. 2000-198011 filed June 30, 2000

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*                                     *
*          TRANSACTION REPORT          *
*                                     *
*                                     MAY-29-2001 TUE 01:11 AM *
*                                     *
*          RECEIVE                     *
*                                     *
*   DATE  START  SENDER                RX TIME(L)PAGES TYPE    NOTE    M#  DP *
*-----*-----*-----*-----*-----*-----*-----*-----*
*   MAY-29 01:04 AM 0352107189        6' 51" (1) 46  RECEIVE    OK                      *
*                                     *
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|--|---------------------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Hiroshi Urabe, et al. | Docket No. 71360-55968 |
|--|---------------------------|

| | | | |
|--------------------------------|-------------------------------|------------------------------|------------------------------------|
| Serial No. Not Yet Assigned | Filing Date Filed Herewith | Examiner Not Yet Assigned | Group Art Unit Not Yet Assigned |
|--------------------------------|-------------------------------|------------------------------|------------------------------------|

Invention:

FLAME RETARDANT RESIN COMPOSITION

I hereby certify that the following correspondence:

NEW UTILITY PATENT APPLICATION

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

May 29, 2001

(Date)

Louise M. Rappaport

(Typed or Printed Name of Person Mailing Correspondence)

Louise M. Rappaport

(Signature of Person Mailing Correspondence)

EL73072402US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

Mailing Date: May 29, 2001

Client: 71360

☒ Utility

☐ Design

Attorney/Sec. DGC/lmr

Docket No.: 55968

☐ Provisional

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of
APPLICANT(S): Hiroshi Urabe, et al.

TITLE: FLAME RETARDANT RESIN COMPOSITION

No. of Pages: Spec. 36 Claims 4 (13 Claims) Abstract 1

Drawings _____ sheets ☐ formal ☐ informal

Transmittal Papers 4 pages ☐ Preliminary Amendment

☐ Declaration ☐ executed ☐ unexecuted ☐ Copy ☐ Will Follow

☐ Small Entity Form ☐ Copy ☐ Will Follow ☐ Certified Copy ☐ Will Follow

☐ Assignment ☐ Copy ☐ Will Follow ☐ Cover Sheet

☐ Information Disclosure Statement ☐ PTO-1449 Form ☐ Refs.

Other Cert. Copy JPAppln. 2000-157913-Filed 5/29/2000 (TO FOLLOW

\$ 710.00 fee Check ☒ is ☐ is not enclosed

Due Date: 5/29/2001 Express Mail Label No. EL 730724024US



EDWARDS & ANGELL, LLP
COUNSELLORS AT LAW
since 1894
101 Federal Street
Boston, MA 02110



52-36/112

No. 704226

CHECK DATE

CHECK NO.

May 29, 2001

704226

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SEVEN HUNDRED TEN AND 00/100 DOLLARS

\$\$\$710.00

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OF

Commissioner of Patents & Trademarks

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EL730724024US

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
71369-55968

Total Pages in this Submission
41

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

FLAME RETARDANT RESIN COMPOSITION

and invented by:

Hiroshi Urabe
Hajime Ohyama
Masami Suzuki

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 41 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Microfiche Appendix *(if applicable)*
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings *(if drawings filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
71369-55968

Total Pages in this Submission
41

Application Elements (Continued)

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☐ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL730724024 US

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
71369-55968

Total Pages in this Submission
41

Accompanying Application Parts (Continued)

15. ☒ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☐ Additional Enclosures *(please identify below):*

| |
|--|
| |
|--|

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL

(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
71369-55968

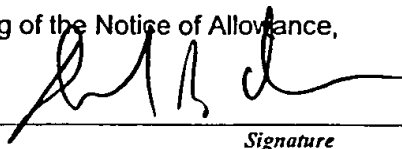
Total Pages in this Submission
41

Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|--|--------|----------|--------|-----------|----------|
| Total Claims | 13 | - 20 = | 0 | x \$18.00 | \$0.00 |
| Indep. Claims | 1 | - 3 = | 0 | x \$80.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| BASIC FEE | | | | | \$710.00 |
| OTHER FEE (specify purpose) _____ | | | | | \$0.00 |
| TOTAL FILING FEE | | | | | \$710.00 |

- ☒ A check in the amount of \$710.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1105 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

David G. Conlin
Registration No. 27026
Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
Edwards & Angell
P.O. Box 9169
Boston, MA 02209
Tel: (617) 439-4444

Dated: May 29, 2001

cc:

E
&

A **EDWARDS & ANGELL, LLP**

COUNSELLORS AT LAW
since 1894

MARLBOROUGH, MA OFFICE
TELEPHONE (508) 485-7772

MAILING ADDRESS:
P.O. BOX 9169
BOSTON, MA 02209

101 FEDERAL STREET
BOSTON, MA 02110
(617) 439-4444
FAX (617) 439-4170

DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group

WASHINGTON, DC
TELEPHONE (708) 553-2563

May 29, 2001
VIA FACSIMILE

DConlin@EALaw.com

Mr. Satoshi Ishikawa
Okada & Associates
Halifax Kudan Bldg, 4F
2-4-4, Kudan-Minami, Chiyoda-Ku
Tokyo 102 JAPAN

Re: H. Urabe, et al
Your File No.: LO28 US
Our File No.: 71360-55968

Dear Mr. Ishikawa:

Thank you for the email and the fax copy of the application, which was safely filed today, May 29, 2001. We look forward to receiving the formal documents and priority document to complete the filing, in due course.

We are in the process of changing our offices from 130 Water Street to the following address:

Edwards & Angell LLP
Dike Bronstein Roberts & Cushman IP Group
101 Federal Street, 23rd Floor
Boston, MA 02110-1800

From now on, please send all items for delivery to the above address. The telephone numbers, facsimile numbers and email addresses remain the same as before.

We have been operating out of both the Water Street and Federal Street addresses, and we have informed the courier services of the change. As a result, we have received all shipments except the shipment of the present application by DHL. We do not understand why DHL did not deliver this shipment properly. Please let us know the DHL waybill number by return fax/email, and we will investigate to find out what happened, and take whatever steps are necessary to prevent the same from occurring again.

BOSTON

HARTFORD

NEWPORT

NEW YORK

PALM
BEACH

PROVIDENCE

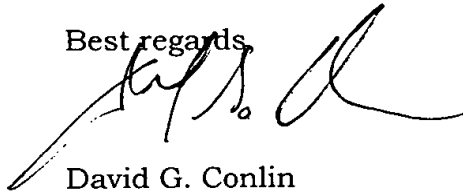
SHORT
HILLS

Mr. Satoshi Ishikawa
May 29, 2001
Page 2

We are very sorry for your concern, surprise and inconvenience. A formal notification of the change of address has been prepared, and is about to be issued. Thank you for double checking, and sending the application by facsimile when you did not receive confirmation of receipt from us. Meanwhile, we have directed to the post office and all courier services that all mail and courier packages are to be delivered to the new address given above.

We will keep you informed of further developments in the case. Thank you for entrusting this case to our firm.

Best regards,

A handwritten signature in black ink, appearing to read 'D. Conlin', written over the typed name.

David G. Conlin

DGC:ms

EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group

130 WATER STREET
BOSTON, MASSACHUSETTS 02109-4
TELEPHONE (617) 523-3400
FACSIMILE (617) 523-6440
www.dbr.com

WASHINGTON, D.C.
(703) 553-2563

MARLBOROUGH, MA
(508) 485-7772

FACSIMILE TRANSMITTAL COVER SHEET

DATE: May 29, 2001

TO: Mr. Satoshi Ishikawa
(Name)

FAX NO.: 011 81 3 5210 7189
SPEED DIAL:

Okada & Associates
(Company)

FROM: David G. Conlin

FAX NO.: (617) 523-6440
PHONE NO.: (617) 523-3400

of pages: 2
(including cover)

Your Ref.: LO28 US

Our Ref.: 71360/55968

MESSAGE:

Should there be any problem with this transmission, please contact Louise M. Rappaport at the above telephone number.

NOTICE

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. **If you are not the intended recipient, please contact the sender by collect telephone at the number indicated.** You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

P. 01

TRANSACTION REPORT

MAY-29-2001 TUE 06:34 PM

| DATE | START | RECEIVER | TX TIME(L) | PAGES | TYPE | NOTE | M# | DP |
|--------|----------|----------------|------------|-------|------|------|-----|----|
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MAY-29 06:34 PM 01181352107189 25" (1) 3 SEND OK 184

TOTAL : 25S PAGES: 3



POST OFFICE TO ADDRESSEE



EL 730724024 US

UNITED STATES POSTAL SERVICE®

ORIGIN (POSTAL USE ONLY)

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|--|--|--|
| PO ZIP Code 02205 | Day of Delivery <input checked="" type="checkbox"/> First <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date 5/30/01 | <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM | Postage \$16.00 |
| Time In 8:27 AM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight 9 lbs. 0 oz. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials DE | Total Postage & Fees \$16.00 |

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Federal Agency Acct. No. or
Postal Service Acct. No.

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PHONE (627) 439-4444

EDWARDS & ANGELL, LLP
LIKE GRONSTEIN ROBERTS
150 WATER ST P.O. Box 9169
BOSTON MA 02209

71360-55968

TO: (PLEASE PRINT)

PHONE ()

ASSISTANT
COMMISSIONER FOR PATENTS
US PATENT & TRADEMARK OFFICE
WASHINGTON DC 20231-0001

NEW UTILITY PATENT APPLICATION

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



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Label 11-F August 2000



Docket No. 55968 (71360)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Urabe, et al.
SERIAL NO.: 09/870,716 EXAMINER: N/A
FILED: May 29, 2001 (corrected) GROUP: N/A
FOR: FLAME RETARDANT RESIN COMPOSITION

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

SIR:

DECLARATION OF DAVID G. CONLIN

David G. Conlin declares as follows:

1. I am a patent attorney, a partner in the firm of Edwards & Angell, LLP. I have been a practicing patent attorney with Edwards & Angell and its predecessor firm, Dike, Bronstein, Roberts & Cushman since 1973. Prior to that I was a law clerk to Judge Phillip B. Baldwin at the U.S. Court of Customs & Patent appeals from 1971 to 1973. Prior to that I was a Patent Examiner in old Group 170 from 1967 to 1971.

2. On May 29, 2001, I received via facsimile a letter from my client Okada & Associates, together with a patent application, which the client asked me to file on that day. A copy of that letter is attached as Exhibit B to the Declaration of Louise Rappaport enclosed herewith. As indicated in Ms. Rappaport's Declaration, we had previously received an order letter from the client on May 23, 2001, asking us to file the application by May 29, 2001.

3. As indicated in the client's May 29th letter, the client was concerned that DHL had failed to deliver the original application documents to us because of the fact that we were in the process of moving our offices from 130 Water Street to 101 Federal Street. For that reason, the client sent us the application by facsimile, with

instructions to file it that day. We followed those instructions, and filed the application on that day, May 29, 2001.

4. More particularly, Ms. Rappaport prepared the Application Transmittal form, and obtained a check from our accounting department for \$710 to cover the filing fee. I checked the Application Transmittal form, and executed it on May 29, 2001. I signed the check on May 29, 2001. I then turned the executed documents over to Ms. Rappaport for execution of the mailing certificate and filing of the application.

5. After completing the application for filing, I wrote a letter to the client, confirming that we had filed the application on that date, namely May 29, 2001. A copy of that letter, its facsimile cover sheet and its facsimile Transaction Report are attached as Exhibit D to the Declaration of Louise Rappaport submitted herewith. As indicated therein, the purpose of the letter was to thank the client for sending the facsimile copy of the application, confirm that we had filed that application on the due date of May 29th, and inform the client that we were investigating the problem which prevented us from receiving the original application papers from DHL by that date. Thus the opening sentence was "Thank you for the email and the **fax copy** of the application, **which was safely filed today, May 29, 2001.**" Emphasis added. My signature appears on the letter, and I signed the letter on May 29, 2001. In fact it was before 6:34 p.m. on May 29th, since that was the time which we faxed that letter to the client, as confirmed by the facsimile Transaction Report for that letter. By 6:34 p.m. on May 29th, or shortly thereafter, the package containing the executed application papers was being deposited at the Express Mail window at the Post Office by Robert Rosco, the courier who was given the completed application package for that purpose.

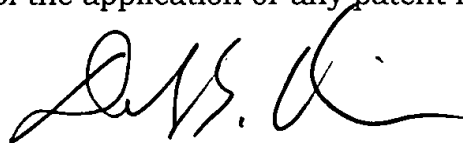
6. I have reviewed the Express Mail mailing receipt for package EL 730724024 US, a copy of which is attached as Exhibit A to the Petition (and another copy is Exhibit E to the Declaration of Louise Rappaport). The mailing receipt is dated May 30, 2001, but that date is clearly wrong. Unfortunately, we had another application for another client which was supposed to be filed on May 30, 2001, but it was not filed because Mr. Rosco neglected to take any Express Mail to the Post Office on May 30, 2001. Submitted herewith is a Declaration of Mr. Rosco, confirming that he did not take **any** Express Mail to the Post Office on May 30, 2001.

7. The problem with the present case did not come to our attention until late July, when we received the Express Mail Mailing label from Pitney Bowes. We received the Post Card unofficial filing receipt in mid June, but at that time we believed that the filing date indicated thereon was just a typographical error, since the case was filed on May 29th. At the time Pitney Bowes returned the Express Mail Mailing Label, Mr. Rosco, understandably, could not specifically remember precisely what packages he took to the Post Office on precisely what days. But he, and we, were painfully aware of the fact that he did not take **any** express mail to the Post Office on May 30, 2001, because his failure to do so was discovered on May 31, 2001, the very next day. At that time we discovered that we had missed a priority date in another application, unrelated to the present application, because of his failure to take the Express Mail to the Post Office on May 30, 2001.

8. Thus the application papers were completed and sent for filing on May 29, 2001, and they were not mailed on May 30, 2001. They were received by the Patent and Trademark Office, who awarded a filing date of May 30, 2001, corresponding to the (erroneous) mailing date on the Express Mail Receipt. The Office must have received the application on May 30th or May 31st, 2001, since the May 30th date was awarded. Since they were not mailed on May 30th, they had to have been mailed on May 29th, 2001, and the Post Office Express Mail Receipt dated May 30th, 2001 has to be incorrect. Hence the petition to correct the filing date to May 29, 2001.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 28, 2001



David G. Conlin



Docket No. 55968 (71360)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Urabe, et al.

SERIAL NO.: 09/870,716

EXAMINER: Not assigned

FILED: May 29, 2001

GROUP: Not assigned

FOR: FLAME RETARDANT RESIN COMPOSITION

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

STATEMENT OF ROBERT ROSCO

I am employed as a Copy Operator and Mail Handler by Pitney Bowes Corporation, at the offices of Edwards and Angell LLP, 101 Federal Street, in Boston, Massachusetts. On May 29, 2001 and May 30, 2001, I was the person responsible for taking the mail from Edwards & Angell personnel and delivering the mail to the U.S. Postal Service, including the above-referenced United States patent application (hereinafter "the '716 application").

I have reviewed the Express Mail Receipt issued by the USPS in connection with the filing of the '716 application, in particular the indications thereon that the application was deposited in the Post Office on May 30, 2001.

Although I do not now have a specific recollection as to the date on which I mailed the '716 application, I am certain that it was not on May 30, 2001. The reason I am certain of that fact is that on May 31, 2001, it was brought to my attention that, because I did not take any express mail to the Post Office on the evening of May 30, 2001, a desired filing date was missed in a different application, unrelated to the '716 application. At that time, I thoroughly reviewed my activities on the previous evening, and it was certain that I did not take any express mail packages to the Post Office on May 30, 2001.

USSN 60/143,591

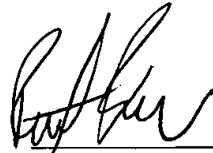
pg. 2

USSN 09/870,716

Statement of Robert Rosco

Page 2

I further state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Robert Rosco

Date

8/8/00